

1 DANIEL G. BOGDEN
United States Attorney
2 Nevada Bar No. 2137
DANIEL D. HOLLINGSWORTH
3 Assistant United States Attorney
Nevada Bar No. 1925
4 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
5 Las Vegas, Nevada 89101
Telephone: (702) 388-6336
6 Facsimile: (702) 388-6787
E-mail: Daniel.Hollingsworth@usdoj.gov
7 Counsel for the United States of America

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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,)
13 Plaintiff,)
14 v.) 2:08-CV-1134-RLH (RJJ)
15 \$7,095 IN UNITED STATES CURRENCY,)
16 Defendant.)

17 **DEFAULT JUDGMENT OF FORFEITURE**

18 The United States filed a verified Amended Complaint for Forfeiture in Rem on September
19 8, 2010. Docket #10. The Amended Complaint (#10) alleges the defendant property:

- 20 a. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
21 1341, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A)
22 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
23 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);
- 24 b. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
25 1343, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A)

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1 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
2 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

3 c. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
4 1952(a)(1) and Nev. Rev. Stat. §§ 199.480, 463.160, 463.430, 464.010,
5 465.092, and 465.093, a specified unlawful activity as defined in 18 U.S.C. §§
6 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
7 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

8 d. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
9 1952(a)(3) and Nev. Rev. Stat. §§ 199.480, 463.160, 463.430, 464.010,
10 465.092, and 465.093, a specified unlawful activity as defined in 18 U.S.C. §§
11 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
12 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

13 e. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
14 1955 and Nev. Rev. Stat. §§ 199.480, 463.160, 463.430, 464.010, 465.092, and
15 465.093, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A)
16 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
17 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

18 f. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
19 1956(a)(1), a specified unlawful activity as defined in 18 U.S.C. §§
20 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
21 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

22 g. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
23 1956(a)(2), a specified unlawful activity as defined in 18 U.S.C. §§
24 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
25 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

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- 1 h. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
2 1957, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A)
3 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
4 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);
- 5 i. is involved in violations of 31 U.S.C. § 5313, or a conspiracy to commit such
6 violations, or is traceable to any such violations or conspiracy, and is subject
7 to forfeiture pursuant to 31 U.S.C. § 5317(c)(2); and
- 8 j. is involved in violations of 31 U.S.C. § 5324, or a conspiracy to commit such
9 violations, or is traceable to any such violations or conspiracy, and is subject
10 to forfeiture pursuant to 31 U.S.C. § 5317(c)(2).

11 It appearing that process was fully issued in this action and returned according to law;

12 On September 24, 2010, the Court entered an Amended Order for Amended Summons and
13 Warrant of Arrest in Rem for the Property and Notice and issued the Amended Summons and Warrant
14 of Arrest in Rem. #12, #13.

15 Pursuant to the Amended Order (#12), the Amended Complaint (#10), the Order (#12), the
16 Amended Summons and Warrant (#13), and the Amended Notice of Complaint for Forfeiture (#14)
17 were served on the defendant property, and the Amended Notice was published according to law. #16.
18 All persons interested in the defendant property were required to file their claims with the Clerk of the
19 Court within 30 days of the publication of the Notice or within 35 days of actual notice of this action,
20 as applicable, followed by the filing of an answer to the Complaint within 21 days after the filing of
21 their respective claims. #10, #12, #13, #14, #16.

22 Public notice of the forfeiture action and arrest was given to all persons and entities by
23 publication on the official government website www.forfeiture.gov from November 5, 2010 through
24 December 4, 2010. #16, p. 2-4.

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1 On October 15, 2010, the United States Marshals Service served the Amended Complaint
2 (#10), the Amended Order (#12), the Amended Summons and Warrant of Arrest in Rem for the
3 Property (13), and the Amended Notice by executing them on the defendant property. #14, p. 2-25.

4 On December 10, 2010, the Notice of Filing Proof of Publication was filed. #16.

5 On November 12, 2010, the United States entered a Notice of Forfeiture Agreement from
6 Criminal Case regarding John DeCrosta, showing DeCrosta agreed to the forfeiture of the property
7 in the criminal proceedings, and not requiring the United States to serve him any further regarding the
8 currency. #15, p. 7-12.

9 No person or entity has filed a claim, answer, or responsive pleading within the time permitted
10 by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

11 On January 5, 2011, the United States filed a Request for Entry of Default against the
12 defendant property and all persons or entities who claim an interest in the defendant property in the
13 above-entitled action. #17.

14 On January 6, 2011, the Clerk of the Court entered a Default against the defendant property
15 and all persons or entities who claim an interest in the defendant property in the above-entitled action.
16 #18.

17 John DeCrosta is not in the military service within the purview of the Servicemembers Civil
18 Relief Act. #17-3.

19 The allegations of the Amended Complaint are sustained by the evidence and are adopted as
20 findings of fact. The Court concludes as a matter of law that the United States is entitled to the relief
21 requested in the Amended Complaint.

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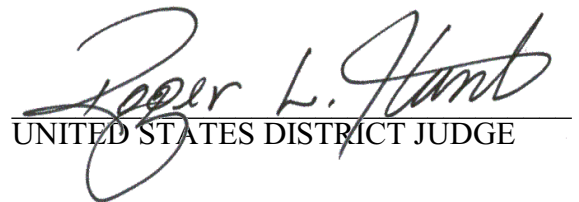
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1 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
2 Default Judgment of Forfeiture be entered against the defendant property and all persons or entities
3 who claim an interest in the defendant property in the above-entitled action.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
5 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
6 shall exist in any other party.

7 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
8 cause for the seizure or arrest of the defendant property.

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10 
11 UNITED STATES DISTRICT JUDGE

12 DATED: January 26, 2011
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